THE DAILY CONFEDERATE.

RALEIGH, N. C, THURSDAY, FEBRUARY 4, 1864. VOL I—No. 9.

OLD SERIES, } VOL. V. }

DAILY CONFEDERATE.

A. M. GORMAN & CO., Proprietors.

DAILY EDITION, for 6 months	$12
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No subscriptions received on any other terms than the above, nor for a longer or shorter period.

From the Fayetteville Observer.

In the Matter of Alexander Williams.

Habeas Corpus from Moore County.

The Petitioner being liable to military service was drafted in 1862 and furnished a substitute over 45 years of age. The substitute was accepted, mustered into service for three years or the war, and Petitioner regularly discharged.

The Petitioner is now under arrest by order of the Enrolling officer of Moore county, under the act of Congress approved Jan'y 5, 1864, "That no person shall be exempted from military service by reason of his having furnished a substitute."

Petitioner insists that the Act of Congress is in violation of the Constitution of the Confederate States, and so his arrest is illegal.

"The question whether a law is void for its repugnancy to the Constitution is at all times one of much delicacy, which ought seldom if ever to be decided in the affirmative in a doubtful case. The Court, when impelled by duty to render such a judgment would be unworthy of its station, could it be unmindful of the solemn obligations which that station imposes. But it is not on slight implication and vague conjecture, that the Legislature is to be pronounced to have transcended its powers, and its acts to be considered void. The opposition between the Constitution and the law should be such, that the Judge feels a clear and strong conviction of their incompatibility with each other. As the Court can never be unmindful of the solemn duty imposed on the judicial department, when a claim is supported by an act which conflicts with the Constitution, so the Court can never be unmindful of its duty, to obey laws which are authorized by that instrument."—Marshall, C. J., Fletcher v. Peck, 6 Cranch 87, and U. S. v. Fisher, 2 Cranch 358.

"There is nothing in the Constitution of the Confederate States which forbids Congress to pass laws violating the obligation of contracts, though such power is denied to the several States; nor which forbids the Legislature of a State to exercise judicial functions; nor which applies to a State law which divested rights, vested by law in an individual, provided its effect be not to impair the obligation of a contract; nor to retrospective laws which do not impair the obligation of contracts or partake of the character of *ex post facto* laws. Evans v. Eaton, 1 Peters' C. C. R. 322; Satterlee v. Matthewson, 2 Peters' R 413; Watson v. Mercer, 8 Peters' 88; Charles River Bridge v. Warren Bridge, et al., 11 Peters' 539.

So it is not every act which in some view may seem to be a great hardship on the citizen, or against our preconceived notions of right and natural justice, which is against the Constitution of the Confederate States.— We could not apply our Declaration of Rights and State Constitution, as a square and a level to any and every act of our own Legislature, which might work inconvenience or hardship, or which might seem to be arbitrary legislation; and in consideration the *question of law*, whether an act of Congress is in violation of the Constitution of the Confederate States, the great rights secured by our Declaration of Rights and State Constitution are abstract.

"Can the construction of the Federal Constitution depend upon a reference to a State Constitution and by which the act complained of is ascertained to be legal or illegal? By this doctrine, the act, if done in conformity to the State Constitution, would be free from objection under the Federal Constitution; but if, this conformity do not exist, then the act would not be free from such objection. This, in effect, would incorporate the State Constitution in and make it part of the Federal Constitution. No such rule of construction exists."—Charles River Bridge Co. v. Warren Bridge et al. 11 Peters' 579.

Arguments founded upon hardship will be entitled to great weight when the words of a statute are obscure and open to construction, but can never sanction a construction at variance with the manifest meaning of the Legislature, expressed in plain and unambiguous terms. The argument *ab inconvenienti* is under many circumstances valid to this extent, that the law will sooner suffer a private mischief than a public inconvenience. It is better to suffer a mischief which is peculiar to one, than an inconvenience which may prejudice many. Brown's Legal Maxims, 86. Calder et ux vs. Bull et ux, 3 Dall. 386, Iredell, J. Evans vs Jordan, 9 Cranch 203.

It has been urged against the act, that it is not only retrospective in its operation, divesting vested rights, but is against another clear principle of justice in making no compensation to the principal for what he has paid to his substitute under the former act, which authorized him to employ a substitute. There is no prohibition in the Constitution against Congress passing laws retrospective in their operation or which may divest vested rights. The words are not to be found in the Constitution nor any synonym for them. It is true that the Constitution of the Confederate States prohibits Congress from passing any "*ex post facto* law or law denying or impairing the right of property in negro slaves;" but whatever may be the general primary etymology of the term *ex post facto*, it is now, and has been from a period long anterior to the adoption of the Constitution of the United States, well settled, by legislators, authors and judicial decisions, that it relates to penal and criminal laws, which impose punishments or forfeitures, and not to civil proceedings which affect private rights retrospectively. Watson vs. Mercer, 8 Peters 88; Calder vs. Butt, 3 Dall. 386; State vs Bond, 4 Jones 9; Dickinson vs. Dickinson, 3 Mur. 327; Blackstone; Federalist; Elliott's Debates on the Federal Constitution; Kent; Story.

In Satterlee vs. Matthewson, 2 Peters 416, Mr. Justice Johnson says, "The whole of this difficulty arises out of that unhappy idea that the phrase *ex post facto* in the Constitution of the United States was confined to criminal cases exclusively, a decision which leaves a large class of arbitrary legislative acts without the prohibition of the Constitution." Whatever may be the effect of the decision—"*ita lex scripta est*"—an additional argument might be drawn, if one were needed, to show its admitted restricted application, in the security which is now specifically given to property in slaves, against legislation by Congress, by the clause above quoted from the Confederate Constitution, sec. 9. cl. 4: "No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves, shall be passed."

"Principals" and others will say, that it would have been but justice in Congress to restore the amount, or some portion, which was paid to substitutes under the act which gave them authority to employ them, or to make some compensation for what is lost to them by the act in question; but this view, though perhaps an equitable one, cannot have a controlling influence. In the U. S. vs. Schooner Peggy, 1 Cranch 103, Marshall, C. J., says, "It is true that in mere private cases, between individuals, a Court will and ought to struggle hard against a construction which will, by a retrospective operation, affect the rights of parties; but in great national concerns, where individual rights, acquired by war, are sacrificed for national purposes, the contract (referring to the Treaty between France and the U. S. in 1801) making the sacrifice, ought always to receive a construction conforming to its manifest import; and if the nation has given up the vested rights of its citizens, it is not for the Court, but for the Government, to consider whether it be a case proper for compensation. In such a case, the Court must decide according to existing laws; and if it be necessary to set aside a judgment, *rightful when rendered*, but which cannot be affirmed but in violation of law, the judgment must be set aside."

"The Congress shall have power to raise and support armies. To make rules for the government and regulation of the land and naval forces." And "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the government of the Confederate States or in any department or officer thereof." Sec. 8, cl. 12, 14, 18, Constitution Confed. States. "The government of the Union is a government of the people, it emanates from them; its powers are granted by them, and are to be exercised directly on them, and for their benefit. The government which has a right to do an act, and has imposed on it the duty of performing that act, must, according to the dictates of reason, be allowed to select the means. If the end be legitimate and within the scope of the Constitution, all the means which are appropriate, which are plainly adapted to that end, and which are not prohibited, may constitutionally be employed to carry it into effect.—The degree of its necessity is a question of legislative discretion, not of judicial cognizance." Calder et ux. vs. Bull et ux. 3 Dall 386, Iredell, J.

Legislative power is the life principle which directs the operation of civil authority. "The Congress shall have power," &c., not one Congress, but every Congress, to exercise this sovereign power—to make all laws which shall be necessary and proper for carrying into execution the granted powers. If one Congress can by legislation on a great national subject, control the action of the next Congress on the same subject, it can do so *in perpetuum*, and thus the express power granted to *the Congress* to make all laws which shall be necessary and proper for carrying into execution the granted powers, becomes a dead letter.

This principle of the sovereignty of legislation is now settled in a legislative maxim.—"Acts of parliament derogating from the power of subsequent parliaments, bind not. Because the legislative, being in truth the sovereign power, is always of equal, always of absolute authority; it acknowledges no superior upon earth, which the prior legislature must have been, if its ordinances could bind a subsequent parliament." 1 Bl. 90; 1 Comm 90; Charles River Bridge vs. Warren Bridge et al. 11 Peters 420.

"The States have no power, by taxation or otherwise, to retard, impede, burden or in any manner control the operation of the Constitutional laws enacted by Congress, to carry into execution the power vested in the general government." Marshall, C. J., Fletcher & Peck, 2 Peters 308.

Suppose Congress were to pass an act suspending the privilege of the writ of Habeas Corpus, so far as it might affect the act in question, until forty days after the next session. At the next session, should Congress deem it necessary and proper to repeal the act, and should repeal it, and a Judge were to issue the writ, as he is required to do, in vacation, under a penalty of two thousand five hundred dollars, could the military department of the government claim that there was a vested right in that department until the law should expire by limitation?

In the case of West River Bridge Co. Dix et al, 6 How. 530, the Supreme Court of the United States held that the right of eminent domain, one of the sovereign attributes of government, and essential to its preservation and the proper performance of its functions, is paramount to the rights of private property, and not only the property, but the franchise of a corporation was held subject to its exercise. The right of eminent domain is certainly not more important and essential to the existence of government and the proper exercise of its powers, than the right to raise and support armies and to make all laws which shall be necessary and proper for carrying into execution this power in a time of war, when the very existence of the government, the liberty and lives of the citizens, are at stake. In State vs. Matthews, 3 Jones, 451, the Bank of Fayetteville was authorized by its charter, 1818, to issue one dollar notes. A subsequent act of the Legislature, 1854, prohibited the circulation of such notes.—Pearson, Judge, in delivering the opinion of the Court, says, "Is authority to issue small notes conferred by the charter, as a part of the essence of the contract, with the intention that it should be subject to such limitation as the Legislature might at any time thereafter deem expedient to make for the purpose of regulating the currency of the State? This is a mere question of construction, and a plain statement seems sufficient to dispose of it. It is consequently unreasonable to suppose that the General Assembly, admitting that it has the power, would alien or surrender and make subject to any individual or corporation, a portion of its sovereignty, and thereby disqualify itself from doing that for which these ample powers are conferred on it. It follows that to establish a contract on the part of the Legislature to relinquish any of its powers, plain and unequivocal words must be used. In looking over the statute, by which the Bank is incorporated, we find authority to issue notes given in general terms; and although it may be inferred that it was then the policy, or rather that there was no purpose not to allow the issuing of small notes at that time, yet there is nothing which can be fairly construed as a contract on the part of the State not to change the policy and afterwards prohibit their issue and circulation. There is no pledge to this effect. There are no words of contract used, and in fact no words, which, by the utmost ingenuity and straining, can be made to imply a contract on the part of the Legislature, that it will not at any time regulate the currency, so as to prohibit the issuing and circulation of small notes."

In 1650 the Legislature of Massachusetts granted to Harvard College the "liberty and power" to dispose of a ferry by lease or otherwise from Charlestown to Boston, passing over Charles River. Under the grant, the College continued to hold the Ferry by its lessees and receive the profits until 1785, when the Legislature incorporated a company to build a bridge over Charles River where the Ferry stood, granting them tolls, the company to pay to Harvard College two hundred pounds a year during the Charter, for forty years, which was afterwards extended to seventy years. The bridge was built under this charter, and the corporation received the tolls, always keeping the bridge in order and performing all that was enjoined on them to do. In 1828 the Legislature incorporated another company for the erection of another bridge, the Warren bridge, over Charles River, commencing near where the Charles River bridge commenced and terminating in Boston about 800 feet from the termination of the Charles River bridge. They were authorized to take tolls for a few years and it is now become free. Travelers who formerly passed over the Charles River bridge, now pass over the Warren bridge, and thus the Charles River bridge Co. are deprived of the tolls they would otherwise have received. The value of the franchise granted by the act of 1785 is now entirely destroyed.

This case, The Charles River Bridge vs. the Warren Bridge, 11 Peters 420, was argued before the Supreme Court of the U. S. by those great legal luminaries, Mr. Webster for the Plff., and Mr. Greenleaf for the Dfts.

Mr. Webster insisted upon two points: 1st, That by the grant of 1650 Harvard College was entitled in perpetuity to the right to keep a ferry between Charlestown and Boston; that the right was exclusive, and the Legislature had no right to establish another Ferry on the same line of travel, because it would infringe the rights of the College and those of the Plaintiffs under the Charter 1785. 2d, That the true construction of the acts of the Legislature of Massachusetts granting the privilege to build a bridge necessarily implied, that the Legislature would not authorize another bridge, and especially a free one, by the side of the Charles River bridge, so that the franchise which they held would be of no value; and that this grant of the franchise of the Ferry to the College, and the grant of the right of pontage to the proprietors of the Charles River bridge, is a contract which is impaired by the law authorizing the erection of the Warren bridge. In the course of his argument Mr. Webster says. "The counsel for the Defendants have said that the Plaintiffs have sustained no loss but that of their golden prospects. They have lost all their property, a property worth three hundred thousand dollars before the new bridge was built, and now not worth thirty dollars. The rights of the Plaintiffs are no monopoly. They are the enjoyment of the property for which they had paid in advance, and which by a contract made by the law, they were entitled to enjoy for twenty years yet to come. They claim to hold what they have purchased. Those who have assailed this property have taken it from them, have taken all from them without compensation. This presents the question whether the Constitution of the United States has been violated? There is no other issue made on this record. The Plaintiffs do not seek to interrupt the progress of improvements, but they ask to stay revolution, a revolution against the foundations on which property rests; a revolution which is attempted on the allegation of monopoly; we resist the clamor against legislative acts which have vested rights in individuals on principles of equal justice to the State and to those who hold those rights under the provisions of the law. The erection of the bridge was an undertaking of great hazard, and the result of the effort to construct it was considered exceedingly doubtful. It cannot, therefore, be supposed that the franchise was to be diminished, and its enjoyment to be limited. Nothing of this is expressed, and nothing so unreasonable can be implied."

Mr. C. J. Taney, in delivering the opinion of the Court says: "This act of incorporation is in the usual form and the privileges such as are commonly given to corporations of that kind. It confers on them the ordinary faculties of a corporation, for the purpose of building the bridge, and establishes certain rates of toll, which the Company are authorized to take." This is the whole grant. *There is no exclusive privilege given to them over the waters of Charles River, above or below the bridge. No right to erect another bridge themselves, nor to prevent other persons from erecting one. No engagement from the State that another shall not be erected and no undertaking, not to sanction competition, nor to make improvements that may diminish the amount of their income. On all these subjects the Charter is silent.* While the rights of private property are sacredly guarded, we must not forget that the community also have rights, and that the happiness and well being of every citizen depends on their faithful preservation. It is very clear, that in the form in which this case comes before us, being a writ of error to a State Court, the plaintiffs in claiming under either of these rights [the point made by Mr. Webster,] must place themselves on the ground of contract, and cannot support themselves upon the principle that the law divests vested right. It is well settled by the decisions of this Court, that a State law may be retrospective in its character and may divest vested rights, and yet not violate the constitution of the United States, unless it also impairs the obligation of a contract. In 2 Peters, 414, Satterlee vs. Mathewson, this Court, in speaking of the State law then before them and interpreting the article in the constitution of the United States which forbids the State to pass laws impairing the obligation of contracts, uses the following language: "It (the State law) is said to be retrospective; be it so. But retrospective laws which do not impair the obligation of contracts, or partake of the character of *ex post facto* laws, are not condemned or forbidden by any part of that instrument," (the constitution of the U. S.) and in another passage in the same case the Court says, "the objection, however, most pressed upon the Court, was that the effect of this act was to divest rights which were vested by law in Satterlee. There is certainly no part of the constitution of the U. S which appeals to a State law of this description: nor are we aware of any decision of this or of any Circuit Court, which has condemned such a law upon this ground, provided its effect be not to impair the obligation of a contract. The same principles were re-affirmed in this court in the late case of Watson vs Mercer, decided in 1834, 8 Pet 110. "As to the first point, (says the Court,) it is clear that this Court has no right to pronounce an act of the State Legislature void, as contrary to the Constitution of the U. S., from the mere fact that it divests antecedent rights of property. The Constitution of the U. S. does not prohibit the States from passing retrospective laws, generally; but only *ex post facto laws*." The object and end of all government is to promote the happiness and prosperity of the community by which it is established; and it can never be assumed, that the government intended to diminish its power of accomplishing the end for which it was created. A State ought never to be presumed to surrender this power, because, like the taxing power, the whole community have an interest in preserving it undiminished.—The continued existence of a government would be of no great value, if by implications and presumptions, it was disarmed of the powers necessary to accomplish the ends of its creation; and the functions it was designed to perform, transferred to the hands of privileged Corporations."

Here is a much stronger case from our own Supreme Court: In McRae v. Wilmington and Raleigh R. R. Co., 2 Jones 186, under an act of Assembly in 1776, Herron, under whom the plaintiff regularly claimed, was authorized to erect and keep up a toll bridge over the North East Branch of the Cape Fear, and it was expressly provided in the Charter that "*it shall not be lawful for any person whatever to keep any ferry, build any bridge, or set any person or persons, carriage or carriages, cattle, hogs or sheep, over the said river, for fee or reward, within six miles of the same, under a penalty of twenty shillings for each and every offence.*" The bridge was erected within the time prescribed and kept up a toll bridge. Here is an "exclusive privilege given to them over the waters of" the North East Branch of the Cape Fear, within six miles "above and below the bridge." Here is the right to erect a bridge, and "to prevent other persons from erecting one," within the limit. Here is "an engagement from the State that another shall not be erected." And here is "an undertaking not to sanction competition," nor any thing else "that may diminish the amount of their income." "On all these subjects the charter is" express. The Railroad Company, by virtue of its charter, granted in 1833, erected a bridge as part of the Railroad, over the North East Branch of the Cape Fear, within six miles of the bridge site of the Plaintiff Judge Pearson, delivering the opinion of the Court says, "The first question is, was the meaning of the parties, and, of course, the scope and operation of the contract, confined to the ferries, bridges and other modes of setting persons and property over the river at that time known and in use! Or was it the meaning of the parties, and was it in their contemplation, to confer upon Herron, his heirs and assigns, a perpetual monopoly of setting persons and property over the river, by means of his bridge, so that it should never thereafter be in the power of the Governor, Council and Assembly, *no matter what might be the change in the condition of things*, either in reference to the increased necessity for transports across the river, or the improved modes of transportation, to authorize any other mode of crossing the river? We should hesitate long before bringing our minds to the conclusion that the latter is the true construction of the contract; because it was unreasonable upon the part of Herron, in consideration of the services that he was to perform, to exact any such stipulation, and because it was unreasonable that the Governor, Council and Assembly, in consideration of building a bridge, to confer a perpetual monoply and take from themselves and their successors, *for all time to come*, the power of doing that for which all Governments are organized—promoting the general welfare *by adopting such measures as a new condition of things might make necessary*, and taking advantage of such improvements and inventions as after ages might originate, for the benefit of the public; in other words, *it is unreasonable to suppose that they intended to surrender the means, by which they and their successors might thereafter be enabled to effect the purpose for which they were created and formed into a government.*"

I regard these cases as the exponents of the principle involved in the question now presented, and as by them it is decided that the respective acts of the Legislatures of the States, brought in question, are not in violation of that clause of the National Constitution which *expressly* prohibits the States from passing laws impairing the obligation of contracts; and as the Constitution of the Confederate States *does not expressly* prohibit Congress from passing any such law, so I conclude, *a fortiori*, from the principles evolved, that the Act of Congress in question is not in violation of that instrument.

Upon consideration it is ordered and adjudged, that the Petitioner, Alexander Williams, be remanded to the custody of Captain N. Currie, and that the Petitioner pay the costs of this proceeding, to be taxed by the Clerk of the Supreme Court of Moore County.

R. S. FRENCH, Judge S. C. L. & Eq.
Lumberton, Jan'y 29, 1864.

Miscellaneous.

North Carolina Volunteer Navy Company.—At a meeting of the Stockholders of the above Company, held in Raleigh on the 14th instant, the Company re-organized under its charter, and proceeded to elect the following gentlemen as directors, viz:

C. P. MENDENHALL, Greensboro'
J. M. BULLOCK, Granville county.
O. G. PARSLEY, Jr., } Wilmington.
ALEX'R OLDHAM, }
W. D. SMITH,
DUDLEY NICHOLS, } Durham's
J. R. GREEN,
WILLIAM LONG, Caswell county.

The Directory then proceeded to elect their officers, as follows:

C. P. MENDENHALL, Esq., President.
J. M. BULLOCK, Esq., Vice President.
W. D. SMITH, Esq., Treasurer.
DUDLEY NICHOLS, Esq., Secretary.

Pursuant to a resolution adopted by the Directory, the subscribers are requested to pay over to Wm. D. Smith, Treasurer, or desposit in Bank to his credit, the amount of their respective subscriptions, and forward certificates of deposit to his address at Wilmington, N. C., by the 10th day of February next. Those wishing to subscribe are requested to send in their subscriptions at or before that time to the Treasurer, who will issue certificates of stock.

DUDLEY NICHOLS, Sec'y.
Durham's, Jan'y 20th, 1864. 4-d2w.

Gloves and Socks Wanted.—I desire to purchase for the soldier, 10,000 pairs of Gloves and 10,000 pairs of Socks. Donations will be thankfully received.

EDWARD WARREN,
Surgeon General, N. C.
jan 12-1m

JOBWORK Of all description neatly executed at this office

Miscellaneous.

Mrs. H. W. Miller.

BOARD	
By the Month,	$140
Daily board do	$120
Transient, per day,	$ 10

jan 16-dly

Oxford Female College.—The twenty-sixth session began on Monday the 18th January 1864, and will continue twenty weeks. Tuition in each school $60. Piano rent $15. No extra charges. Board varies with provisions.

J. H. MILLS,
Oxford, N. C.
5-tf.

Wanted to purchase.—A Good Piano. Apply at this Office. jan 19tf

Military.

ENROLLING OFFICE, }
5th CONGRESSIONAL DISTRICT N. C. }
OXFORD, January 27, 1864. }

In Obedience to General Orders No. 1, Commandant of Conscripts Raleigh, January 20, 1864, Militia and county Enrolling officers will notify all white male persons between the ages of 18 and 45, within the limits of their respective regiments, to report at the county seats of their respective counties, at the following times and places for final enrollment and examination by the Medical Examining Board. This call embraces all white male persons between the ages of 18 and 45, whether previously exempted or not.

All those residing within the limits of the 40th Regiment N. C. M., Franklin county, will report at Louisburg on the 20th, 22d, 23d and 24th days of February 1864.

All those residing within the limits of the 32d Regiment, N. C. M., Nash county, will report at Nashville, on the 26th, 27th and 29th days of February, and 1st day of March, 1864.

All those residing within the limits of the 37th Regiment, N. C. M., Warren county, will report at Warrenton on the 4th, 5th, 7th and 8th days of March 1864.

All those residing within the limits of the 42d Regiment, N. C. M., Granville county, will report at Oxford on the 11th, 12th, 14th and 15th days of March, 1864.

All those residing within the limits of the 43d Regiment N. C. M., Granville county, will report at Oxford on the 16th, 17th, 18th and 19th days of March, 1864.

All those residing within the limits of 46th Regiment, N. C. M., Orange county, will report at Hillsboro, on the 22d, 23d, 24th and 25th days of March, 1864.

All those residing within the limits of the 45th Regiment N. C. M., Orange county, will report at Hillsboro, on the 26th, 28th, 29th and 30th days of March, 1864.

All those residing within the limits of the 38th Regiment, N. C. M., Wake county, will report at the Court House in Raleigh on the 1st, 2d, 4th and 5th days of April, 1864.

All those residing within the limits of the 39th Regt N. C. M. Wake county, will report at the Court House in Raleigh, on the 6th, 7th, 8th and 9th days of April, 1864.

All those residing within the limits of the 118th Regiment, N. C. M., Wake county, will report at the Court House in Raleigh on the 11th, 12th, 13th and 14th days of April, 1864.

THOS. F. TIBBS, Assistant Surgeon
Chairman Examining Board.
H. C. HERNDON, M. D.
W. H. DAVIS M. D.
A. LANDIS, Jr., Enrolling Officer
5th Congressional District N. C.
6-2w

CONSCRIPT OFFICE, }
RALEIGH, Jan. 27th, 1864. }

The following circular from Bureau of Conscription is published for the information of all concerned.

By order COL. MALLETT,
Comd't Cons. for N. C.
E. J. HARDIN, Adj't.

BUREAU OF CONSCRIPTION, }
RICHMOND, Jan. 25th, 1864. }

CIRCULAR }
No. 4. }

To Commandants of Conscripts.—The attention of Commandants, is especially directed to General Orders No. 7, A. & I. G. O. current series, herein set forth for their information.

ADJT. AND INSP. GEN'L'S OFFICE, }
RICHMOND, Va., Jan. 25, 1864. }

I. Paragraph IV General Orders No. 3 current series is hereby revoked.

II. Enrolling Officers will proceed as rapidly as practicable in the enrolment of all persons made liable to military service. Previous to enrolment as conscripts, all such persons will be allowed to volunteer, provided—

1st. The Company selected was in service on the 16th of April 1862.

2nd. The Company selected is at the time of volunteering, below the minimum prescribed by regulations.

3rd. No person made liable to service under this order will be permitted to join, or will be assigned to any company which has more than sixty four privates on the roll, until all the companies in service from the State of which the volunteer or conscript is a resident, shall have the minimum number prescribed by regulations.

4th. Upon the Company being selected, the volunteer will receive from the Enrolling Officer a certificate to the effect that he has so volunteered; and no volunteer will be received in any company except on such certificate,

III. Persons who fail to make selection, according to the provisions of this order, and at the time of enlistment, will be assigned according to existing regulations.

IV. All officers in command of companies authorized under this order to receive conscripts or volunteers will forthwith send to the Commandant of Conscripts of the State, accurate certified rolls of their companies; and without such roll, showing that they do not exceed sixty four privates, there will not be assigned any conscript or volunteer.

By Command of the Secretary of War.
(SIGNED) S. COOPER,
Adjt. and Insp. Gen'l.

Early and vigorous action will be enjoined on the Enrolling Officers, each one of whom should be furnished with a copy of the order without delay. To insure the publicity of the order, there should be several insertions in the newspapers of general circulation.

II. Persons presenting applications for special exemption, with *any show of merit* will not be molested until action is taken by this Bureau. These cases will be investigated in accordance with Circular No. 3, Current Series with the least delay practicable.

By order of COL. JNO. S. PRESTON,
Supt.
(SIGNED) C. B. DUFFIELD,
A. A. G.
3-1m.

☞ Fayetteville Observer, Wilmington Journal, Salisbury Watchman, Charlotte Bulletin and Democrat, Iredell Express, Ashville News, Wadesboro' Argus, Greensboro' Patriot, Milton Chronicle, Christian Advocate, N. C. Presbyterian, Mountain Eagle Tarboro' Southerner, copy one month

NOTICE.—A limited number of recruits will be received in the 1st N. C. Cavalry Regiment. The recruit must bring with him a serviceable horse. Arms, and equipments will be furnished. For further information as to companies, &c., apply to Col Mallett. commanding Conscript Camp at Raleigh

By order COL. W. H. CHEEK, Comd'g.
GEO. S. DEWEY, Ad'jt. 1-d1m

Fayetteville, January 13, 1864—Wanted— A lady who is fully competent to teach music on the Piano and the English Branches, to take charge of a small school in a family near Fayetteville. Address, BOX 202,
Fayetteville, N. C.
jan 18-w3t

DAILY CONFEDERATE.

ADVERTISING.

ADVERTISEMENTS will be inserted at two DOLLARS per square of ten lines (or less) for each insertion. Marriage notices and Obituaries will be charged as advertisements.

JOB WORK of every description will be executed at this Office with dispatch, and as neatly as can be done in the Southern Confederacy.

Military.

Conscript office, Raleigh, January 22, 1864. The annexed order is published for the information of all concerned. Its requirements will be rigidly enforced in every particular.

By order COL. MALLETT
Commanding Conscripts for N. C.
E. J. HARDIN, Adjutant.

ADJ'T AND INSP. GEN'LS OFFICE, }
RICHMOND, Jan. 9, 1864. }

General Orders, }
No. 3. }

I. The following Acts of Congress and Regulations are published for the information of all persons concerned therein.

ACTS.

AN ACT to prevent the Enlistment or Enrollment of Substitutes in the Military service of the Confederate States.

"*The Congress of the Confederate States of America do enact*, That no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service, nor shall any substitute be received, enlisted or enrolled in the military service of the Confederate States." [Approved December 28th, 1863.]

AN ACT to put an end to the Exemption from Military Service, of those who have heretofore furnished Substitutes.

"WHEREAS, in the present circumstances of the country, it requires the aid of all who are able to bear arms:

"*The Congress of the Confederate States of America do enact*, That no person shall be exempted from military service, by reason of his having furnished a substitute; but this act shall not be construed as to affect persons who, though not liable to render military service, have, nevertheless, furnished substitutes." [Approved January 5th, 1864.]

II. Persons rendered liable to military service by the operation of the preceding acts, are placed on the same footing with all others hitherto held liable by Acts of Congress.

III. Persons herein rendered liable to military service are required to report as volunteers or conscripts, without delay, to the enrolling officers, and all who delay beyond the 1st day of February 1864, will be considered as having renounced the privilege of volunteering, and held for assignment according to law.

IV. Enrolling officers will proceed, as rapidly as practicable, in the enrollment of persons herein made liable to military service. Previous to enrollment as conscripts, all such persons will be allowed to volunteer in companies in service on 16th April 1862; *provided*, the company chosen does not at the time of volunteering reach the maximum number allowed; and upon such company being selected, the volunteer will receive from the enrolling officer a certificate to the effect that he has so volunteered; and no volunteer will be received into any company except on such certificate. Persons who fail to make their selection at the time of enrollment, will be assigned according to existing regulations.

V. Persons who report to the enrolling officers will be enrolled, and may be allowed a furlough of ten days before reporting to the camp of instruction.

VI. All persons, whether volunteers or conscripts under this order, will pass through the camp of instruction of the State to which they belong, and be forwarded thence to the companies which are selected, or to which they may be assigned.

VII. The Bureau of Conscription is charged with adopting proper regulations for the enforcement of this order.

VIII. All exemptions heretofore granted are subject to a revision, under instructions from the Bureau of Conscription; and if found to be improper or unauthorized by law, will be revoked.

By order. S. COOPER,
Adjutant and Inspector General.

1-dtfeb15.

☞ Wilmington Journal, Salisbury Watchman, Charlotte Democrat, Iredell Express and Asheville News copy until February 15th and send bills to Col. Mallett's office.

Confederate States of America, Engineer Department, District Cape Fear Wilmington, N. C., March 16th, 1863. Notice is hereby given to all persons having claims against the Engineer Department, for services of slaves employed as laborers on the *land defences* near Wilmington, N. C., that the undersigned is authorized and prepared to pay the same at his office, on the second floor of the building next above Mears' Drug Store, Market Street,

☞ Persons executing Powers of Attorney will observe the following form—their signatures, in all cases, to be witnessed by two witnesses and signed in duplicate, or they may be witnessed before a Justice of the Peace or Clerk of any Court.

FORM OF POWER OF ATTORNEY.

I, ——, of ——, do hereby appoint ——, of ——, my true and lawful Agent to sign receipts for, and receive payment of all moneys due to me by the Engineer Department of the Confederate States of America, for the services of my slaves employed as laborers on the land defences at ——, during the month of ——, 186 .

Witness, my hand and seal, at ——, this —— day of ——, 186 .

(Signed in duplicate.) ———— [Seal]

Witnesses:
——
——

The signatures of colored persons should be witnessed by three witnesses.

There must be separate duplicate Powers of Attorney for each month. Blank forms can be had upon application at this office.

W. H. JAMES,
Capt. & Chief Engineer.
Jan. 20, 1864-1 tf

Fayetteville Arsenal and Armory, November 12, 1863. $100 BOUNTY! Wanted, 100 Mounted Riflemen. Authority having been granted by the War Department to raise a Company of Mounted Riflemen for service in this vicinity, notice is hereby given, that recruits to the number of 100 *non-conscripts* will be received for this service. Each recruit will be required to furnish a serviceable horse, for which he will be allowed 40 cents per diem, and his pay $12 per month. *Written permission* will be required from parents or guardians, where the applicant is under the conscript age.

Each recruit must bring with him a blanket or bed-spread, and come prepared to remain.

Apply to Maj MATTHEW P. TAYLOR, at the Arsenal.

F. L. CHILDS,
Lieut-Col. C. S. A., Commanding Post.
dec 16dtf.

Surgeon General's Office, Raleigh, Jan., 16, 1864. A medical examining board, consisting of

Surgeon E. A. CRUDUP,
Ass't Surgeon H. H. HARRISS,

will meet at Halifax, in Halifax county, on Monday, the 25th of January.

At Jackson, in Northampton county, on Wednesday, the 27th of January.

At Murfreesboro', in Hertford county, on Friday, the 29th of January.

At Wilmington, in New Hanover county, on Tuesday, Wednesday, Thursday, 2d, 3d and 4th of February.

At Whitesville, in Columbus county, on Saturday, February 6th.

At Elizabeth Town, in Bladen county, on Tuesday, 9th of February, for the purpose of examining all persons claiming exemption from Home Guard duty on account of physical disability.

By order of Governor VANCE:
EDWIN WARREN,
Surgeon General.
jan 20 2w

For Sale or Rent.

HOTEL FOR SALE.—I OFFER AT PRIvate sale the large new Hotel in the town of Louisburg, and located just east of the Court-house.
H. HARRIS.
july 4.—tf.

BLANKS Executed with neatness and dispatch at THI OFFICE.

THE CONFEDERATE.

D. K. McRAE,
A. M. GORMAN, } Editors.

All letters on business of the Office, to be directed to A. M. GORMAN, & Co.

THURSDAY, February 4, 1864.

Office of THE CONFEDERATE, on Fayetteville street, second door South of Pomeroy's Bookstore.

The News from Below.

Very little further intelligence was received here on yesterday, concerning the movements below. Passengers by yesterday's train from Goldsboro', report that a Yankee regiment had been captured below Kinston and was on its way to Goldsboro', and that heavy firing was heard towards Newbern. This is all that we could learn.

It seems that the last of the expedition left Kinston on Sunday morning, and report has it that they met the enemy about seven miles above Newbern, at Bachelor's Creek, and drove them back. Col. Shaw, while engaged with his command at this point in laying down some pontoons over this creek, was killed. He was Colonel of the 8th N. C. Regiment. His remains were carried to Goldsboro', we understand.

This is all the news we have from that quarter. We have received no letter from our Correspondent since Monday. Reticence seems to be enjoined on every source of information.

The rumor of yesterday, of the taking of Suffolk and five hundred Yankees, is no doubt without foundation, as nothing confirmatory has been heard of it.

North Carolina Troops Re-enlisting.

We publish to-day the proceedings of the Second and Fourth North Carolina Regiments, on re-enlisting for the war, and there is no doubt that all our Regiments will adopt a similar course. The old spirit of 1861 seems to be re-awakened, under circumstances that ennoble it to the highest standard of patriotism and heroism. Unquestionably the men who are thus declaring their resolution to remain in the service of their country, perform all the arduous duties, and endure all the privations and suffer all the inconveniences of the service, ardently desire to return to their families, their friends and their business. But they exhibit the noble spectacle of patriotism rising superior to self, and fortitude overcoming every ill and hardship.—Heroic and noble men! they grandly illustrate the race from which they sprang and the age in which they live. Henceforward the world need not turn to the republics of ancient times for examples of the highest types of patriotism and manhood. They live and act their parts in our present struggle, and their name and fame will constitute a portion of the brightest history of the earth.

If the North fails to see in this movement the spirit of a people unconquered and unconquerable, it must be in that stage of madness which closely precedes destruction. A people, whose young men are animated by such a spirit, and whose patriotism and endurance cheerfully braves and bids defiance to the dangers and severities of such a conflict as that which we are undergoing, can no more be subdued than can the irrepressible waves of the ocean, which may have their ebb tide and flow, but which never fail to surmount every barrier within their resistless sweep.

SENT TO NORTHERN PRISONS.—The Atlanta Register is informed by an intelligent gentleman, an officer in the army at Dalton, that many of the men who deserted our ranks about the time of the fight on Lookout Mountain and during the retreat from Missionary Ridge, were arrested on their way to Middle Tennessee by the Yankees and sent at once to Northern prisons. Our informant states that so far as he has been able to learn, the fate of these deluded men, and he has heard from quite a number of them, not one was permitted to take the oath, but were immediately sent North and imprisoned.

On their way through Nashville, they were met by some of their friends, who attempted to prove their loyalty, and get permission for them to take the oath and go home, but in vain. Those who went to Chattanooga and gave themselves up, shared the same fate.

THE FLORIDA.—We are glad to hear that the Confederate steamer Florida is once more at sea, though we are not informed whether her commander, Maffitt, has sufficiently recovered from his late illness to resume his duties. If he is once more on her decks we may soon expect to hear of more Confederate piracies.—It is an astonishing thing that the hundreds of Yankee cruisers on the alert for Semmes and Maffitt always make out to miss them.—It speaks volumes for the skill and energy of those commanders, that they have so long successfully eluded the pursuit of the whole Yankee navy.

The course pursued by those who quarrel with the President, our Generals, Congress and every body else, because they do not do as they advise, remind us of the juror who complained against the other eleven jurymen because they would not come in to his views:

"Mr. Foreman," says the Judge, "what's the matter with the jury?"
"Please your Honor," said the Foreman, "they vex me into fury;
Those eleven other fellows that won't give up to me,
If they would only think as I do, we could very soon agree."

The Greensboro' Ala., Beacon announces the marriage, on the 13th ult., at the residence of Major I. F. Lewis, by Rev. Mr. Beckwith, Lieut. Gen. W. J. Hardee, C. S. A., and Miss Mary T. Lewis.

What Does it Mean?—Concluded.

Now let us examine the Standard's position and see if it does not prove it in favor of a Convention for secession—this position taken by itself in its EDITORIALS.

In its issue of October the 7th, 1863, appears a long card, from the editor of the Standard, giving a history of the "mobbing of his office," and an *expose* of the editor's sentiments—we give it credit that it disavowed the proceedings of some of the peace meetings of last summer, further, that on more than one occasion it has disavowed being for secession or reconstruction; but while so disavowing, it publishes sentiments and pursues a line of conduct necessarily leading to that terminus. The man who aims the loaded rifle at his neighbors head, and, pulling the trigger, speeds the deadly bullet through his brains, might as well say he did not intend to kill him—but the law and right reason both divine the intention from the act, and will hold the actor responsible for the consequences.

In that issue of October 7th, the Standard takes this position:

"But it is said that to talk for peace at home while our troops are fighting for it in the field, operates against the cause. I do not believe it. What sort of peace? A return to to the old Government? No. Submission to Lincoln? No. What then? A peace based on the separation of a portion of the Southern States from the other States, *and two or three independent Governments*, that is what I would call an honorable peace."

It goes on to say, that this may be done by giving up Maryland, Kentucky, Missouri and Western Virginia. It would say to the North—"take these States—take the public lands—take the Navy and all the public property within your borders, *only let us go*, and let us alone."

It is true it speaks afterwards of some effort at a treaty about the Chesapeake and Mississippi, and a union of a government with some eight or ten States—but the above is the language it would have a Convention of North Carolinians hold with the Lincoln Government. It would ignore, forget and efface the glorious aid of the soldiers of these excluded States, and condemn them and their loyal people to perpetual banishment and loss of home—if only our Yankees masters will let US go! No terms for the nation's independence, but an inglorious forsaking of our allies, and a debasing stipulation for SELF!

But this is not all. In the issue of November the 18th, the Standard asserts that, "the State has a right to secede whenever she may choose to do so"—war or no war. And having prepared the public mind on the *right of secession*, on the 13th of January it insinuates the probable exercise of this right in these remarkable words, embodied from various articles:

"The day is not distant, when the people will take their affairs into their own hands, and those who may stand in the way will break like a pipe stem in the torrent."

"She has a right to call a Convention, and to hold it, without being responsible for so doing to any power on earth."

"What she will do in that Convention, is a matter for her own people to determine."

"A Convention, for example, could say to the Government, the suspension of the *habeas corpus* would silence our Judges, silence the press, deprive our people of the freedom of speech, and destroy personal liberty.—We cannot submit to it."

"You have destroyed our militia system, which is guaranteed to us by the Constitution. We cannot submit to that." "The people of this State were true up to the last moment to the old Government, and *as long as North Carolina remains a member of the Confederate States will be true to her obligations to the new Government*."—(The *italics* are ours.)—(ED CONFED.)

"We believe the time has come when North Carolina should take steps, in her sovereign capacity, to check the usurpations of the Confederate Government, and pave the way to peace."

"The people will arise in their majesty and assert their sovereignty." "She is this day, and has been from the first, the key-stone of the Confederate arch.—If that stone should fail, the arch will tumble."

Thus the rising of the people is threatened, which is to sweep opposition, and take affairs out of the hands of the common Government into their own hands.—This is to be done by a Convention which is to represent the sovereignty of the people in its most imposing from. The right of this Convention to assemble in the midst of war, is fully claimed. The powers claimed in its behalf are to be indefinite—as though the times were ordinary and normal, instead of being abnormal and revolutionary.

This Convention, with the air and majesty of sovereignty, is to silence the Confederate Government—put it to awe, and stop its action by the announcement—"*We cannot submit to this*"—we cannot submit to that.—WE will this. WE will that.

And thus the stone—the Key-stone is to be withdrawn, and the arch is to tumble. And the *Standard* believes that the time has come to check these usurpations—to raise up this majesty—and North Carolina only remaining true while she "remains in the Confederacy." Congress is *warned*, that the day is at hand. Let us contemplate for a moment this scene which the Standard conjures into existence:

The withdrawal of the stone and the tumbling of the arch—the Confederate cause lost—its army disbanded—its leaders surrendered to the merciless fury of the foe—our flag torn and trampled under foot—our soldiers cowered and abased—the glories of victory eclipsed by the dark shadow of unsuccessful rebellion. Every household desolated—a spy on every path—liberty, honor, right of property all fled—and death, hideous, monstrous, unnatural death, rioting through the land!

If the Standard's threat be fulfilled, this will be the fate, feebly sketched, of us all.—Will the Standard escape? No. When that stone falls, its time will have come—it and its associates. They will be crushed to atoms in the ruins. Meeting between the upper and nether millstones, their ruin will be inevitable; for, we borrow the language of a once undoubted, and eloquent writer—"they who remain here and plot against the South, will be visited with a swift destruction."

It would be received with welcome, if the Standard would revert to its position at the commencement of the war, and join hands with the friends of the cause, and re-adopt its ancient language.

But it is our duty to warn it, and those who follow its dangerous teachings, that they tread a path full of peril. If they progress much farther, they will reach counter-revolution, and the conflict they invoke will be upon them.

[For the Confederate.

The Second N. C. Regiment Re-enlisting.

At a meeting held by the enlisted men of the 2nd Regiment of North Carolina Infantry, on the 27th of January 1864, on motion Sergeant J. M. Caho was called to the chair, and Private L. K. Colly, of Co E, appointed Secretary.

On taking the chair, Sergeant Caho, in a few appropriate remarks, explained the object of the meeting.

On motion, the following Committee was appointed to draft resolutions for the action of the meeting, viz: Ordnance Sergt. Alex Murdoch, Sergt. W. A. Mitchell. Co. A, Sergt. W. Bridges Co. B, Sergt. Joel Price Co. C, Corp. J. E. Davis, Co. D, Private Richard Newill, Co. E, Private J. M. Reel, Co. F, Sergt. A. F. Sawyer, Co. G, Corp. John Wade, Co. I, and Priv. C. F. Hargate, Co. K.,

The committee retired and after consultation returned and offered the following preamble and resolutions, which were unanimously adopted.

Whereas, Having noticed the patriotic course of many of the regiments in the Confederate armies, who are voluntarily enlisting *for the war*, we deem it our duty to send them forth a brotherly, greeting and welcome them into our ranks; therefore

1. *Resolved*, That having at the commencement of hostilities enlisted *for the war*, we have seen no reason to regret our choice, but, on the contrary, the continued cruelty, barbarity and vindictiveness of our malignant foes, as well as our leafless roof trees, deserted firesides and desolated homes make us more and more resolute in our determination to continue steadfast until the end.

2. *Resolved*, That we declare ourselves enlisted in the cause of Southern Rights and Southern Independence as long as one armed foe shall remain on our soil. That we declare ourselves *in for the war*, without conditions, and this we do most cheerfully as is our bounden duty.

3. *Resolved*, That we send a warm and fraternal greeting to our friends at home, and bid them entertain no gloomy apprehensions for the future, but put the ban upon all croakers, malcontents, speculators and skulkers from the battle field; for history will never record that the minions of tyranny, oppression and fanaticism can ever subdue the *freemen* of the South, if true to themselves.

4. *Resolved*, That we have full confidence in those in authority over us, and that the liberality manifested by our commanders, and the successful efforts they have made to supply our necessities, is an earnest of their increasing care in our behalf, and should, and does, receive our heartfelt thanks.

5. *Resolved*, That a copy of these resolutions be handed to our commander, Col. W. R. Cox, with the request that he forward a copy of them to our Commanding Generals, and to the President of the Confederate States, and that they be published in the Richmond, Va., and North Carolina papers.

Col. Cox being called for, addressed the meeting, after which the meeting adjourned.

J. M. CAHO, *Chairman.*
S. R COLLY, *Sec'y.*

[For The Confederate.

The 4th N. C. Regiment Re-enlisted.

At a meeting of the members of the 4th Regiment, of N. C. State Troops of Ramseur's Brigade, January 27th, 1864, Capt. Jesse F. Stansil of Co. B, was called to the chair, and Julius A. Summers of Co. H, and S. J. Sitchfield of Co. E, were appointed Secretaries. Capt. Stansil explained that the object of the meeting was to adopt resolutions expressive of our willingness to remain in the service of our country and to show to our comrades in arms, to the people at *Home* and to our common *foe*, that although we enlisted for the war at the commencement of hostilities, yet we are as determined as ever to strike, so long as the foot of the invader rests upon our soil.

On motion, a committee of ten was appointed, consisting of Lt. McNealy of Co. A; Sergt. Miller Co. B, Segt. Turner Co. C. Sergt Pearsall Co. D; Corp. Latham Co. E, Private Walter Battle of Co. F, Sergt. Gudy of Co. G, Sergt. Howard of Co. H, Sergt. Ross Co. G, and Capt. Hefflin of Co. K, to draft resolutions. The committee retired and after mature deliberation returned and submitted the following.

WHEREAS After nearly three years of innumerable hardships, exposure and dangers unparallelled in the annals of history; and whereas our ruthless foe still continues to pollute our soil with their hatred presence, and oppress our fellow citizens, inflicting all manner of indignation upon them, depriving them of life, liberties and property, attempting to starve people unless they take the hated oath of allegiance to a Government that is adopting all measures to accomplish our enslavement and whereas our enemies, bouyant with hope expect by raising a *million of men* to overrun us in the spring and make us bow our necks in submission to their arbitrary and lawless will, and whereas though we enlisted in June, 1861 to *serve for the war*, we have no reason to regret the action, and as many other regiments are re-enlisting for the war, we welcome them into our ranks; and it is our determination to fight the enemy to the last man. Therefore be it

Resolved, 1st, That as long as an armed foe is on Confederate soil, we will continue our present organization, hoping thereby to defeate the demon-like machination of our *enemies*.

Resolved, 2d That regreting with heartfelt sorrow the untimely fate of our two hundred and seventy beloved and gallant comrades slain by Lincoln's merciless hirelings, that we much prefer to share their glorious fate and hallowed gaves, dying in defence of our dearest rights and liberties, than to lay down our arms until the acknowledgement of southern independence is wrung from our dastard oppressors.

Resolved, 3d, That we deeply deplore the existence of dissentions among the people of our dear old State, exercissing, as it is well calculated to do a baneful influence upon the minds of the weak and timid, and in a great measure neutralizing the heroic efforts of her son's in the army, to drive back the enemy and free our territory from their ruthless tread.

Resolved, 4th, That no troops, in our opinion, have behaved more gallantly, or aided more successfully to accomplish our independence than the sons of North Carolina.

Resolved, 5th, That we witness with chagrin and mortification the effort of certain factions in our State to tarnish the fair fame and good name of our dearly cherished mother.

Resolved, 6th, That we view with mingled feelings of *disgust* and *indignation*, the *unhallowed* effort to associate the *revered name* of our lamented and beloved chieftain, *Jackson*, with the traitorous and incendiary resolutions passed by some citizens in Johnson county, N. C., in opposition to which sentiments this pure, brave, noble and holy man has sacrificed his life to his country's good; that we regard such associations as a desecration of his name.

Resolved, 7th, That we earnestly entreat our good and loyal citizens at home, to turn a deaf ear to the bad councils of wicked and designing men, and to banish them from their midst, together with extortioners, speculators, and all others injuring the cause for which we are enduring such hardships, and exposing our lives.

Resolved, furthermore, That as much as we ardently desire that the blessings of peace were once more extended our distressed land, that so long as an insolent is enemy invading our soil, we will stand prepared with arms in our hands, to repel the invaders at any and every sacrifice.

These resolutions being unanimously adopted, it was then moved that a copy of them be forwarded, through Gen. Lee, to His Excellency, President Davis, and also that copies be sent to the Richmond Sentinel and Raleigh Confederate for publication; after which the meeting adjourned.

CAPT. J. F. STANSILL, Ch'm.
Lieut. JULIUS A. SUMMERS, Co. H } *Sec's.*
" SAMUEL J. LITCHFIELD, Co. E }
North Carolina papers please copy.

[For The Confederate.

From the Thirtieth N. C. Regiment.

At a meeting of the troops of the 30th N. C. regiment, held at headquarters on the 27th of January, 1864, the following preamble and resolutions were unanimously adopted:

Whereas, an unjust attempt of a radical party in the United States, to subvert and overthrow all constitutional guaranties, and to rob us of our property (honestly obtained,) did first force us to withdraw from an alliance no longer binding; and, whereas, they did deny us that right, and have attempted to drive us back into a reunion that we detest, by waging a war against us unparaleled in history for its atrocity and vindictiveness of spirit: and, whereas, we have learned through Northern papers that the despot who reigns at Washington has induced large numbers of his present army, by the inducement of large bounties and broad promises, to re-enlist, and is offering extraordinary inducements to citizens of foreign nations as well as of the United States to enlist, to fill the ranks of his army, thus clearly defining a settled determination to subjugate us at all hazards now, therefore, we do unanimously.

Resolved 1st. That, viewing our cause as a just and holy one, we declare ourselves re-enlisted for the war in the struggle for that liberty and independence so dear to every patriotic and honest heart; that our watchword shall be liberty, and we exhort our Congress and the President of the Confederate States to listen to no kind of terms that fall short of our complete and untrammeled Independence.

Resolved, 2nd. That we have the most unbounded confidence in our gallant chieftain, General Robert E. Lee, and will cheerfully and willingly stand by him, through storm and sunshine, until the prize for which we are contending shall be acknowledged by all nations.

Other paper in the State friendly to the Southern cause, are requested to copy.

Gen. John H. Morgan.

Gen. Morgan and staff, passed South on the N. C. Railroad, on Friday night last. We had the pleasure of being a passenger on the train. The distinguished chieftain was in the best of health, and promised to pay his appropriate respects to the Yankees at the earliest opportunity. Gen. Morgan's reception at the various depots on the road was a grand ovation. At Hillsborough the ladies were out *en masse* to greet and bestow their smiles upon the chivalrous hero. When the train arrived at Greesboro, at 10 o'clock, the throng there assembled was immense, to cheer and greet the noble warrior—among the number were many ladies, who presented him wreaths and bouquets, and took him by the hand. After the General had exchanged greeting and received the homage of the crowd, he retired to his car, when a call was made for Colonel Breckenridge, one of the staff, and a speech demanded and acceded, in a brief address, which referred to the cruel treatment of Gen. Morgan by the Yankees, the justness of the cause which our brave soldiers are defending, and concluded with thanking the ladies and others present for the respect which they were then paying to one whom our enemies had sought so cruelly to degrade by imprisonment and other indignities. Col. B paid the highest compliment to the devotion and bravery of North Carolina soldiers, whom, he said, had fought better than any other troops, and were always reliable upon any battle-field, where they invariably sought victory or death.—The address was truly eloquent and was vociferously cheered. Col. Alston, another of Gen. Morgan's staff, was next called for and appeared, he said, not to make a speech, but to comply with what appeared to be the general desire of those present, to share a portion of the compliments intended for the military family of Gen. Morgan. Col A. briefly alluded to the malignity of the war, and the noble bearing of our soldiers in the field, whom had fought so bravely, suffered much, and were still eager for the fray, unwilling to give up the contest until our independence is established upon a basis of a final separation. He then alluded to the melancholy fact that, we have in our midst, a few, who are engaged in doing all they can to create discord at home and paralize the efficiency of the army for a prosecution of the war, and destroying the good effects of all the victories which our brave soldiers had won. The Raleigh Standard was known to be the originator and leader in this traitorous business, and he would call upon all patriots to aid in "putting it down," by refusing to receive it into their houses. The North claimed the Standard for an ally—its articles are copied into Northern Journals to prove that North Carolina is a loyal State to the Linsoln Government, and that her people, at heart, desired to return to the old Union. In his opinion, the Standard had been bribed with Lincoln gold to pursue this course. [We fully concur upon this point with Col. Alston]—*Iredell Express.*

DISTANCE MAKES A DIFFERENCE.—We learn from a gentleman direct from Bermuda, that Yankee greenbacks were selling at that place for sixty-two and a half cent, on the dollar, and Confederate greybacks at seventy cents, the latter being seven and a half cents more valuable in the estimation of the Bermudians than the "promises to pay" of the Lincoln Government.—*Richmond Examiner.*

TELEGRAPHIC.

REPORTS OF THE PRESS ASSOCIATION.

Entered according to act of Congress in the year 1863, by J. S. THRASHER, in the Clerk's office of the District Court of the Confederate States for the Northern District of Georgia.

Confederate States Congress.

RICHMOND, Feb. 3.

This morning in the House, Mr. Curry submitted important joint resolutions in relation to the exchange of prisoners of war—especially negroes. They endorse the resolutions of Congress passed 1st of May last, and President Davis' proclamation in reference to Lincoln's emancipations and policy—recognize that the North claiming exchange of colored troops and their officers, intend this claim to apply to slaves, the property of our people whom they have seized, abducted and impressed into their military service, and armed against their masters. They declare the emancipation of slaves by the enemy within the Confederate States not among acts of legitimate warefare; but classed by writers of public law, among whom are the most eminent publicists of the United States, with such acts as putting prisoners to death in cold blood, using poisoned weapons or assassination—that the claim of the North that when we recapture our own slaves whom they have abducted and armed, we shall deliver them back in exchange as prisoners of war is in effect to recognize the right of the United States to legislate in our limits, and to aid them in giving effect to such legislation, which is too monstrous and revolting to be yielded for a moment, and is only a pretext for violating the solemn obligations of that Government to liberate all prisoners of war on parole. But that neither these resolutions nor those of the 1st May last be construed so as to exclude from treatment as prisoners of war, free negroes, not residents of the Confederate States at the commencement of the war.

The House adopted resolutions of thanks to Gen. Longstreet and men; also a number of resolutions of thanks to soldiers of various States who have re-enlisted for the war.

Re-enlistment is the order of the day in the army, and is going on everywhere with an enthusiasm resembling volunteering at the commencement of the war.

The Senate passed a bill to create the office of Ensign in the army, also a bill providing for organizing a general staff for the army; and then went into secret session on the bill to regulate foreign commerce.

The House was in secret session on the army bill most of the day.

From Richmond.

RICHMOND, Feb. 3.

It seems to be generally understood that the Finance measure or tax bill as passed by the House, contemplates a tax on Confederate notes so heavy as to absorb the bulk of the currency, with a view to the increasing of the currency value of notes left in the hands of the holders; it is also understood that the Senate has rejected this plan and referred the matter to a special committee, who have it now under consideration.

From Gen. Johnston's Army.

DALTON, Feb. 2.

Official information has been received here to-day, that six thousand of Sherman's corps, chiefly infantry, crossed the Tennessee river January the 29th and 30th, at Larkin's Landing, midway between Guntersville and Bellefonte. The presumed object is to establish depot supplies for future operations.

From Mississippi.

MOBILE, Frb. 2.

A special dispatch to the Register & Advertiser, from Como, says that Col. James McGuirk's third Mississippi cavalry re-entered Lagrange on the 1st. inst., and occupies it now. No federals nearer than Germanton.

MOBILE, Feb. 2.

A special dispatch to the Mobile Advertiser, and Register, dated Como. February 2, says twenty seven transports in all, averaging six to eight hundred in each, have passed down. An enormous three tier gun boat passed down.

On the 29th at Clinton, Mississippi, an enthusiastic meeting was going on in Jackson's cavalry re-enlisting for the war. The Texans are re-inlisting to a man.

From the North.

PETERSBURG, Feb. 3.

The Philadelphia Inquirer of the 1st has been received. Lincoln has ordered a draft for five hundred thousand men to serve three years or during the war, to be made on 10th of March.

Gold in New York on the 30th, fifty-seven and three quarters. No other news of importance.

ACCEPTABLE GIFT.—Mrs. Gen. R. E. Lee recently presented 87 pairs of gloves, made with her own hands, to a detail of men from the 53d regiment N. C. troops, engaged in rebuilding the plank road, near Orange Court House, Va.

SENTENCE OF A "REBEL" IN NORFOLK.—The Norfolk correspondent of the Philadelphia Inquirer, says:—"John Ford of Norfolk, convicted of violating his oath of allegiance, by corresponding with rebels within the rebel lines, and endeavoring fraudulently to avoid confiscation of rebel property in Norfolk, has been sentenced to confinement at hard labor in Norfolk jail for one year, and to wear a 24-lb iron ball attached to his right leg by a chain three feet long, and to be employed in cleaning the streets or other hard labor; and at the end of said term to be sent beyond the limits of the department, never to return."

RAN THE BLOCKADE.—We learned yesterday that two more vessels, the Pet and Heroine, had run the blockade and arrived safely in a Confederate port with valuable cargoes.

If the information be correct, it shows that our ports are not quite hermetically sealed, as as a late report to the Yankee Navy Department states.—*Ibid.*

Dr. R. H. Baker, who was formerly acting as Assistant Surgeon at Chimborazo Hospital, and who was mentioned yesterday as among the prisoners just arrived from the North, was a prisoner in the hands of the enemy for thirteen months. He was captured about a year ago in North Carolina.

Efforts towards the reconstruction of the State government are extending throughout the counties of Middle Tennessee, but with little hope of its early return to the Union. The radicals, with Governor Johnson at their head, are in favor of calling a convention to nullify the State constitution and frame a new one on emancipation principles.

The people of East Tennessee are reviving the old project of forming a separate State of that section. Yankee news.

THE WAR NEWS.—The following official dispatch has been received at the War Department:

"JACKSON, VIA WELDON, N. C., }
"January 31, 1864. }

"*General S. Cooper, &c*:

"Yesterday morning engaged the enemy with force of two hundred men and a mountain rifle piece. After a fight of two hours, in which we engaged twelve hundred of the enemy and three pieces of artillery, the Yankees were driven from Windsor, North Carolina, to their boats. We lost six men. The loss of the enemy is not known.

"J. R. GRIFFIN,
"Colonel commanding."

Advices of the most reliable character from North Carolina leave no doubt that the enemy is concentrating large forces at Newbern and Morehead City. In a few days the public may expect the development of the crisis.

We are assured by an officer from General Lee's lines that the popular reports of the scarcity of meat supplies in the army of Northern Virginia are exaggerated. Although the rations of meat are reduced, the soldiers are now drawing full rations of sugar and of excellent coffee, and are well pleased to have these luxuries in compensation for their scanty allowance of meat.—*Examiner.*

[For The Confederate.

SLEEPY CREEK, N. C., }
February 1, 1864. }

Mr. Editor:—I thought possibly your readers might like to know what is going on up in this region of country. Quite a commotion was in this neighborhood a few days since. Cause, said to be usurpation of power and violation of faith. For fear some of your readers may think I refer to the respectable gentlemen who are reported to be distilling grain up in Yadkin County, if the proper authorities will investigate that matter they will ascertain the truth in the case. But I refer to a different matter. The case occurred last week in Forsyth county. The President, Cashier and Directors, or at least the proper authorities, actually burned up about $60,000 of it own notes. Many are considerably enraged at the burning up of the best currency they had—say it was a usurpation of power—a violation of law and good faith, and may for aught I know, sue out a writ of *habeas corpus*. At the same time they are enraged at the conduct of the bank, they are said to be signing petition for a Convention. So we go. DAVIE.

WARSAW, DUPLIN CO., N. C., January 26th, 1864.—*Editor Wilmington Journal*: On Sunday evening, the 24th, inst., about half past two o'clock, Mr. Aaron's stables took fire, the wind blowing fresh westerly. The Hotel itself, kept by Jonathan Ketcham, soon took fire.—The fire next caught J. B. Southerland's house across the street, his kitchen, office, stables, meat-house and corn-house. About the same time Colonel Hobson's store, across on the north side of the plank road took fire with a small lot of corn belonging to J. Ketcham, and perhaps some clothing belonging to Col. Zachary, together with the warehouse adjoining. The next was Col. Hobson's dwelling on the same lot occupied by Lieut. E. H. Hattocks. About the same time the smoke house and kitchen belonging to Mr. Wm Ketcham, occupied by his family, and Mr. Coles', took fire and burnt up. The loss was heavy. Mr. Aaron's loss is said to be fifty thousand dollars, he had seventy five barrels corn burnt. J. Ketcham's loss in same building was considerable in the way of furniture, tobacco and items he had in his shop for sale. The government had powder and ball in the same building, I do not know how much. J. B. Southerland lost some furniture in his house. His loss is perhaps four or five thousand dollars; Col. Hobson's about the same. Wm. Ketcham's loss is six or seven hundred dollars, besides all the occupants' loss in furniture and clothes, which I could not estimate, several losing nearly all the clothes they had. Warsaw looks desolate. It is not known how the fire originated but supposed to be accidental. H.

THE MOVEMENT BELOW SAVANNAH.—The Savannah Republican of Saturday says: "We see no indications of anything like a formidable attack in the vicinity of Savannah, but it is evident that the enemy are becoming more saucy. The attack on our Whitmarsh pickets, Tuesday last, was followed by an attempt to shell Thunderbolt Battery, which, however, proved a feeble effort. The monitor was higher up the river than usual, but the three or four shells thrown fell far short of the mark. Will the Yankees be a little more neighborly and come close enough to get a friendly salutation—say eight hundred or a thousand yards?

DIED,

In Concord, on the 15th ult., Mrs. ROSALIE A. BARRINGER, wife of Lieut.-Col. Rufus Barringer, of the 1st N. C. Cavalry.

New Advertisements.

WANTED—
1000 *LBS. OF SUGAR CANE SEED.*
The highest cash price will be paid per hundred, or by the bushel. Apply to
9-d1w P. FERRALL.

Farm for Rent or Sale—Two hundred acres of land, lying twelve miles west of Raleigh, and four miles from Holly Springs, in the County of Wake; 20 acres of fresh cleared land, the balance original growth. The cleared land well fenced. Apply to
W. H. CUNNINGGIM.
Exchange Hotel.
9-d8t*

STATE OF NORTH CAROLINA, }
WARREN COUNTY, }
COURT OF EQUITY.

John Harrison Hawkins, an infant under the age of twenty-one years, by James A. Egerton, his guardian and next friend, Charles M. Cook and John E. Miller, executors of the last will and testament of Winifred W. Hawkins, deceased, and Jane B. Miller,

Against

Benjamin E. Cook, executor of John H. Hawkins, deceased, John H. Fleming, Jane Walker, (formerly Omeary) Benjamin E. Cook and Sally H Cook, his wife, John H. Kimball, of the State of Tennessee, Fanny H. Kimball, of the said State of Tennessee, and Nancy Power of the State of Mississippi.

It appearing from the affidavit filed in the office of the said Court, that John H. Kimball, Fanny H. Kimball and Nancy Power, three of the defendants in this cause, reside beyond the limits of this State, it is therefore ordered that publication be made in the Raleigh Confederate, for six weeks, notifying the said defendants of the filing of this bill, and that unless they appear at the next term of said Court, to be held at the Court House in Warrenton, on the Third Monday after the Fourth Monday of March next, and plead, answer or demur to the said bill, the same will be taken as confessed and heard exparte as to them. Witness, Charles M. Cook, Clerk and Master of said Court, at office in Warrenton, the Third Monday after the Fourth Monday of September, 1863.

Issued 1st day of February, 1864.
2-w6t C. M. COOK, C. M. E.